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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

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SEP 06 2002

TECH CENTER 1600/2901

Applicant: G. Gundling, *et al.*

Serial No.: 09/492,213

Filed: January 27, 2000

For: METHOD OF PROCESSING A
SAMPLE CONTAINING AT
LEAST ONE BIOLOGICAL
ELEMENT

Examiner: B. Sisson

Group Art Unit: 1655

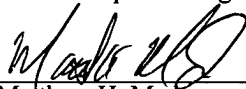
Case No.: 6416.US.P1

CERTIFICATE OF MAILING (37 CFR
1.8 (a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Commissioner for Patents
Washington, D.C. 20231, on:

Date of Deposit: August 27, 2002

 8/27/02
Matthew H. Mader Date

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Box Non-Fee
Washington, D.C. 20231

Dear Sir:

Enclosed herewith for the Patent Application referenced above are:

1. Information Disclosure Statement
2. Form PTO 1449 (in duplicate)
3. Return-receipt postcard

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under 37 CFR 1.17 associated with this communication for which full payment has not been tendered, to Deposit Account No. 01-0025. A duplicate copy of this sheet is enclosed.


Dated: August 27, 2002

Respectfully submitted,
G. Gundling, *et al.*



23492

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David J. Schodin
Registration No. 41,294
Attorney for Applicants

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PATENT

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INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the mailing date of a first Office action but before the mailing date of either a final action or notice of allowance and is accompanied by a certification as specified under 37 C.F.R. §1.97(e). Applicant respectfully petitions and requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

Each document listed in this Information Disclosure Statement was cited in a communication from the European Patent Office in a counterpart foreign application. Because this Information Disclosure Statement is not being filed within three months of the mailing date of that communication, Applicants hereby authorize the Commissioner to charge the appropriate petition fee of \$180.00 to Deposit Account No. 01-0025. The Commissioner also is authorized to charge our Deposit Account any additional fees (or credit any over payments) that may be required under 37 C.F.R. §§ 1.16 and 1.17 in association with this communication for which full payment has not been tendered. A duplicate of this sheet is enclosed.

Copies of the listed documents are attached.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute

"prior art". If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

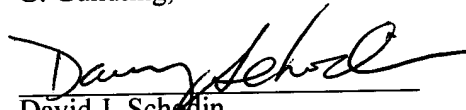
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

The Commissioner is authorized to charge our Deposit Account any additional fees (or credit any over payments) that may be required under 37 C.F.R. §§ 1.16 and 1.17 in association with this communication for which full payment has not been tendered. A duplicate of this sheet is enclosed.



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Respectfully submitted,
G. Gundling, *et al.*



David J. Schodin
Registration No. 41,294
Attorney for Applicants

Form PTO - 1449 (Modified)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
(Modified) PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

6416.US.P1

SERIAL NO.

09/492,213

APPLICANT

G. Gundling, et al.

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FILING DATE

January 27, 2000

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1634

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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUB CLASS	FILING DATE

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

	DOCUMENT NUMBER	PUBLI- CATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB CLASS	TRANS- LATION YES NO
BA	9 8 0 0 5 6 2	08.01.98	WO			
BB	9 8 4 4 1 0 0	08.10.98	WO			

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO-1449)